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In TrendLetter: The House Votes on Civil Rights Act

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POLITICAL TRENDLETTER®

Perspective

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From Voting Rights to Economic Empowerment

Today, as we observe the 25th anniversary of the enactment of the Voting Rights Act, we can take considerable pride in an unbroken record of political achievement. By virtually any measure, since 1965 blacks have made giant strides toward political empowerment. In voter turnout, the gap between blacks and whites has narrowed—from over 12 percentage points to about 4 points. Among some age groups we now out-vote whites.

The only elective offices that blacks have not held are those of president and vice president. The two Jesse Jackson presidential candidacies, the elections last year of L. Douglas Wilder and David Dinkins, all suggest that the nation's two highest offices may not be beyond reach.

We have been crossing new frontiers in appointive positions as well. Almost without notice, Colin Powell has occupied the highest national security position in the White House and is now the nation's top military officer. Inroads have even been made in highly technical strategic specialties. For example, Dr. Condolezza Rice, a black woman, is the top Soviet affairs advisor to the president, and Ron Brown heads the Democratic National Committee.

Black elected officials, who numbered around 300 in 1965, now total nearly 7,400, including the mayors of more than 300 cities, 24 members of the U.S. House of Representatives, and more than 400 state legislators. Moreover, there is growing evidence that black candidates are having increasing success in winning support across racial lines. Indeed, one of the challenges for black politicians over the next decade will be to make the transition from primarily racial representation to broad-based participation in governance at all levels. Although there is considerable room for further progress, blacks clearly are taking their place among elected leaders and decision-makers throughout the country.

But the political gains of the past two decades are only part of the picture. Unfortunately, we have not yet succeeded in matching our political success with similar gains in our economic status and thus in our overall quality of life. While economic opportunities have improved for many blacks, resulting in a growing and robust middle class, fully one third of the black population is mired in poverty. That compares with just 13 percent of whites. What is even more disturbing is the increasing intractability of this poverty.

I believe that *economic empowerment* is the new cutting edge in the pursuit of racial justice. It is a logical outgrowth of our political gains up to now. Therefore, the principal challenge of the 1990s and beyond is to translate our political gains into economic progress. This is true for those still in poverty as well as for those who are part of the middle class.

This is not as easy or simple as popular rhetoric might suggest. Political participation increases our capacity to influence the distribution of economic opportunities, but increased economic benefits are by no means automatic. Nor can politics deliver as much as is often assumed. For those of us who accept the primacy of the goal of expanding economic opportunities, we must develop effective strategies which take into account the political power available to us.

For as long as blacks have struggled for political rights, we have nourished the belief that political power is one of the crucial keys to economic opportunity. It is now time to use that key. ■

Eddie N. Williams

PRESIDENT

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Discrimination and Immigration Law

Members of Congress Struggle Over Legislative Alternatives to Deal With the Impact of Employer Sanctions Established by U.S. Immigration Policy

by Christopher Brown

This is the first of two articles developed as a part of ongoing Joint Center research on U.S. immigration policy being conducted under the supervision of Milton Morris, director of research.

In 1987, shortly after he moved to Los Angeles, Richard Trujillo applied for a job as a general laborer and sand blaster. He presented his social security card and driver's license as proof that he was eligible to work in accordance with immigration regulations. Later that day a company representative called Trujillo and told him his social security card was not acceptable and that he would have to bring in an Immigration and Naturalization Service (INS) number. Trujillo, who was born in Kansas City, Missouri, explained that he had no reason to possess an INS number because he was a U.S. citizen. The following week another company representative implied that Trujillo's social security card might be fraudulent, and refused to hire him. The company illegally denied him the job.

Startling Discrimination

Richard Trujillo's experience of employment discrimination is not unusual. Four years ago when Congress passed the Immigration Reform and Control Act (IRCA), it required the nation's employers to secure proof of citizenship or a resident alien card from all job applicants. Employers who knowingly hired illegal immigrants would face stiff fines and possible jail terms. Congress devised these new sanctions to discourage "undocumented workers" from seeking employment in the United States. Unfortunately, the civil rights of American workers have been violated in the process.

In a report published last March, the General Accounting Office (GAO) found that employer sanctions have produced a "widespread pattern of discrimination," not only against foreign workers who are authorized to work but even against American workers who "look foreign." Biased hiring practices are not a new development in the American workplace, of course. But IRCA has brought a new element of discrimination into the picture. The GAO report concludes by calling for reforms specifically designed to stem IRCA-related violations of civil rights. From its survey of 4,362 employers, the GAO estimates that 891,000 employers initiated one or more discriminatory practices in an attempt to comply with the law. Many Americans and legal residents must have been affected since those 891,000 employers hired 6.8 million workers in 1988 alone.

In cities with large Hispanic or Asian communities the discrimination was most pronounced. In the state of Texas, as also in the city of Los Angeles, 28 percent of the employers surveyed had begun illegal practices after the law was passed. Blacks are also affected, since about 20 percent of legal immigrants come to the U.S. from Africa and the Caribbean each year. Independent studies conducted by private, state, and local agencies, such as the New York Commission on Civil Rights, support GAO's findings and, in some cases, document discrimination that is even more pervasive.

Fine-Tuning or Repeal?

For many, the findings come as no surprise. The prospect of heightened discrimination was raised when IRCA was first being considered for Congressional passage. The GAO's recent findings have refocused legislators' attention on the elusive goal of enforcing immigration laws without infringing the rights of American minorities. Congressional supporters of employer sanctions concede that the law needs to be fine-tuned but insist that sanctions are the only effective way to curb illegal immigration.

Others disagree. Representatives from Latino organizations, such as the Mexican American Legal Defense and Educational Fund (MALDEF), La Raza, and the Coalition for Humane Immigration Rights of Los Angeles (CHIRLA), as well as the American Civil Liberties Union and the NAACP, have demanded that employer sanctions be repealed because of their discriminatory effects.

The INS estimates that there is a net annual increase of 200,000 illegal immigrants who remain in the United States. Economists and social scientists generally concur that the labor of immigrants, legal and illegal, helps the economy and supplements the national income. However, organized labor and many policy makers are concerned that in some industries, such as agriculture, construction, and the garment industry, large numbers of undocumented workers are competing with low-skilled American workers for jobs, thereby depressing wages and threatening the already

(Continued on page 4)

Mr. Brown, a summer intern at the Joint Center, graduated from Yale University in June and will be attending Oxford University as a Rhodes scholar this fall.

strained social services of many cities.

These concerns have fueled a debate over whether employer sanctions should be repealed in favor of stronger enforcement at the border or whether the law can be reformed so that IRCA-related discrimination is stopped while sanctions remain in place.

Protective Measures That Failed

Congress had hoped in 1986 that it had found a humane and effective way to limit illegal immigration when it passed IRCA. Five years of intense negotiations and stalled legislation had preceded the law's passage. For the first time in American history, the law made it a crime to hire illegal immigrants. To ease the transition, amnesty was granted to approximately three million illegal immigrants—those who had resided in the country since 1982 or who had been employed as seasonal agricultural workers. Sponsors of the amnesty program reasoned that giving legal status to illegal aliens residing in the U.S. would put an end to the "shadow society" of those easily exploited by employers and living in constant fear of deportation.

To prevent biased hiring practices, the bill included anti-discrimination provisions and established the Office of Special Counsel (OSC) in the Justice Department to investigate and prosecute discrimination charges that were IRCA-related. An amendment sponsored by Sen. Edward Kennedy (D-Mass.) mandated a yearly GAO review whose purpose was twofold: to determine whether employer sanctions were effective enough to justify the regulatory burden imposed on employers, and to discover whether the law was producing discrimination.

Employer sanctions underscore the dilemma facing a free society that has an overwhelming immigrant population yet wishes to control its borders.

While GAO's 1989 report (its third annual study) did find that employer sanctions had "partially realized" congressional intent by "apparently reducing illegal immigration," its findings on discrimination startled many legislators who had supported the law. The report identified three possible reasons why employers discriminated: out of ignorance of the law's major provisions; from uncertainty about how to determine employment eligibility; and due to the prevalence of counterfeit documents, which in turn contributed to employer uncertainty about eligibility.

The report recommended that the government make a stronger effort to educate the nation's employers on complying with IRCA's anti-discrimination provisions. The OSC, the INS, the Equal Employment Opportunity Commission, and the Department of Labor have recently launched a public education drive to achieve this end.

Many workers, however, remain unaware of IRCA's protections, of what constitutes illegal discrimination under the Act, or even of OSC's existence. Although hundreds of thousands of job seekers may have been hurt by employer sanctions, only 708 cases had been brought to the OSC for investigation as of October 1989. And so far, only 83 of those cases have been investigated and settled with plaintiffs receiving some form of redress.

Michael Fix of the Urban Institute, based in Washington, D.C., testified that the current INS effort to inform employers about IRCA's antidiscrimination provisions was in practice "crowded out" by efforts to inform them of their new liabilities under the law's sanctions provisions. Educational initiatives can be intensified, according to the GAO, by focusing on just those employers that are most likely to discriminate—medium sized employers and employers in areas with large Hispanic or Asian populations.

In an effort to rectify this lack of awareness, last spring Rep. John Bryant (D-Tex.) proposed the IRCA Anti-Discrimination Amendments of 1990 (H.R.4421). The legislation would set in motion a $20 million educational campaign by the Office of Special Counsel and the Equal Employment Opportunity Commission (EEOC), designed to inform employees of their rights and employers of their responsibilities under IRCA. Regional EEOC offices would be established in cities where employment discrimination has been prevalent.

Legislators who favor a complete repeal of the law, however, believe that by documenting "widespread discrimination" but only recommending that the sanctions be shored up with increased educational efforts, GAO has only complicated matters. Critics of the educational approach, including Arthur Fletcher, chairman of the U.S. Civil Rights Commission, doubt that it can ever be effective. Testifying on June 27, Fletcher told the House Subcommittee on Immigration: "If Congress intends to let this serious discrimination continue while it experiments with solutions that are clearly inadequate, then by all means, please have GAO continue documenting the damage."

Another reform proposal (S.2446), sponsored by Sen. Alan Simpson (R-Wyo.), would seek to eliminate biased hiring by requiring all legal workers to carry a fraud-resistant work authorization card. Simpson suggests that this would provide all employers with a reliable form of documentation. Seventeen different documents are currently acceptable as forms of identification, including a U.S. passport, a social security card, and 10 documents issued by the INS to legal residents.

However, some critics of the proposed mandatory I.D. card fear that only Americans who "looked foreign" or who had foreign accents would, in practice, need and be expected to carry it. The ACLU has campaigned against the card, arguing that it could threaten individual liberties by making possible the creation of a centralized data file on individuals' backgrounds, bringing together separate files on workers that are currently kept by independent federal, state, and local government agencies and by private businesses.

The worker I.D. card poses pragmatic problems as well. Implementing such a system would require years of

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August 1990

POLITICAL TRENDLETTER®

In a special report, TL looks at how the 108 members of the House with large black constituencies voted on the Civil Rights Act of 1990.

Taking Names

On August 3, just hours before Congress adjourned for its month-long pre-labor day recess, the House passed the Civil Rights Act of 1990. The Senate had passed its version of the Act on July 18. The entire Congressional Black Caucus voted for the Act but some of their white Democratic and Republican colleagues who represent large numbers of black voters opposed one of the most important civil rights bills in recent years. The Act, sponsored by Sen. **EDWARD KENNEDY** (D-Mass.) and Rep. **AUGUSTUS HAWKINS** (D-Cal.), is designed to reverse five Supreme Court rulings handed down in June 1989, which have severely weakened the protections against employment discrimination provided by Title VII of the Civil Rights Act of 1964 and by Section 1981 of Title 42 of the U.S. Code. These Court rulings place greater burdens on plaintiffs to prove discrimination and make court challenges more costly and time consuming, thus making it more difficult for minorities and women to secure legal redress for job bias (See February and July 1990 TL).

The Senate version of the Civil Rights Act passed handily by a vote of 65 to 34. But passage of the House bill was by no means a *pro forma* affair. At the last minute, Rep. JOHN LaFALCE (D-N.Y.) and House Republican leader ROBERT MICHEL (R-Ill.) sponsored a substitute bill that nearly passed. The Congressional Black Caucus vigorously opposed the substitute, charging that it would codify the very Supreme Court rulings the Act had been drafted to overturn. The substitute was essentially identical to the Bush administration's alternative proposal, which the Senate had rejected. Among its provisions, the substitute would have defined "business necessity" more in favor of employers, making it more difficult to challenge a business practice as discriminatory. The measure would also have stricken the punitive damages provisions of the Act, allowing, instead, up to $100,000 in "equitable relief" and eliminating jury trials in some intentional discrimination cases.

On the eve of the vote on the measure, LaFalce sent a letter to House members charging that the Hawkins-Kennedy bill would force employers "to adopt *de facto* quotas" and would open the door to unending litigation and "reverse discrimination." The LaFalce measure, which was placed on the House calendar for consideration along with the Civil Rights Act, had powerful backing. By the morning of Thursday, August 2, civil rights advocates who had helped win passage of the Senate version by a strong majority were caught off guard when they realized that defeat of the Hawkins bill was imminent. While the civil rights coalition had lobbied extensively to secure the Senate victory, the House had been virtually neglected. Meanwhile, lobbyists for the U.S. Chamber of Commerce and business trade groups were steadily winning support for the LaFalce measure. Moreover, many members of the House Conservative Democratic Forum joined the LaFalce bandwagon, including 15 who had signed their own letter of endorsement. Also known as the Boll Weevils, the Forum is made up of about 50 white Democrats, mostly from the South. It was the Boll Weevils who in the early 1980s gave **RONALD REAGAN** the House majorities he needed to slash social programs. The Boll Weevils and a majority of House Republicans alone could have ensured the LaFalce bill's passage.

Fearful of impending disaster, the Black Caucus met almost daily. With just 24 hours to block the LaFalce measure, each Caucus member participated in an all-out personal lobbying campaign. Here the political skill and experience of key black legislators paid off as, one-by-one, supporters of the LaFalce substitute were persuaded to defect. By August 3, the Caucus had been so successful that half of the signers of the Boll Weevils' letter reversed positions on the LaFalce proposal, which was defeated 238 to 188. The Hawkins-sponsored Civil Rights Act passed by a margin of 272 to 154 that same day. While the Act passed with strong

support, 36 of the 108 House members with congressional districts where blacks make up at least 15 percent of the population voted for the LaFalce substitute. All of the 36 were white, and 16 were Southern Democrats. Within the space of an hour, eleven of the sixteen Southern Democrats who had voted for the LaFalce measure turned around and voted for final passage of the Hawkins-sponsored Civil Rights Act.

A conference committee will now hammer out a compromise between the Senate and House versions of the Act. There is little doubt that Congress will move quickly to get the legislation to President Bush's desk for signature. Bush has indicated that he would veto legislation he thought was a "quota bill," a label applied to the Act by its opponents. The sponsors of the Act contend that the cry of quotas is a red herring issue since both versions clearly state that the measure shall not be construed to require an employer to adopt hiring or promotion quotas. Both the House and Senate bills passed just short of the two-thirds necessary to override a presidential veto.

Department of Health and Human Services Secretary LOUIS W. SULLIVAN and Office of Personnel Management Director CONSTANCE B. NEWMAN, two of the highest ranking black officials in the Bush administration, have met with the President to urge him to sign the Act. Other black leaders suggest that a veto would derail any plans Bush may have for attracting more blacks into the GOP. "If there's anything that specifically and concretely impacts upon blacks, it's civil rights," says House Democratic whip BILL GRAY of Philadelphia. "Therefore I think it would be a grave mistake for President Bush to veto the Civil Rights Act. Such a veto could become a litmus test among blacks on his administration, and much of the support he currently enjoys among African Americans could ebb away on this one issue."

How They Voted

The chart below shows how House members with districts that have black populations of at least 15 percent voted on both the LaFalce substitute and the final vote on the Civil Rights Act. A plus sign (+) indicates a vote favorable to the Black Caucus position, e.g., *against* the LaFalce measure or *for* the Hawkins-sponsored Civil Rights Act; a minus sign (-) indicates the reverse voting behavior; and (NV) indicates the legislator did not vote.

State	Congressional District	Member		Black Population (%)	LaFalce Substitute	Hawkins Bill
Alabama						
	1	Callahan	(R)	31	-	-
	2	Dickinson	(R)	31	-	-
	3	Browder	(D)	28	+	+
	6	Erdreich	(D)	34	+	+
	7	Harris	(D)	33	+	+
Arkansas						
	1	Alexander	(D)	19	-	+
	2	Robinson	(D)	17	NV	NV
	4	Anthony	(D)	28	-	+
California						
	8	*Dellums	(D)	27	+	+
	28	*Dixon	(D)	39	+	+
	29	*Hawkins	(D)	50	+	+
	31	*Dymally	(D)	34	+	+
Delaware (At-large)						
		Carper	(D)	16	+	+
Florida						
	2	Grant	(R)	24	-	+
	3	Bennett	(D)	27	+	+
	5	McCollum	(R)	16	-	-
	7	Gibbons	(D)	15	+	+
	12	Lewis	(R)	19	-	-

State	Congressional District	Member		Black Population (%)	LaFalce Substitute	Hawkins Bill
	15	Shaw	(R)	18	-	-
	17	Lehman	(D)	27	+	+
	18	Ros-Lehtinen	(R)	16	-	+
Georgia						
	1	Thomas	(D)	33	-	+
	2	Hatcher	(D)	37	-	+
	3	Ray	(D)	34	-	+
	5	*Lewis	(D)	65	+	+
	6	Gingrich	(R)	15	-	-
	8	Rowland	(D)	35	-	+
	10	Barnard	(D)	25	-	-
Illinois						
	1	*Hayes	(D)	92	+	+
	2	*Savage	(D)	70	+	+
	7	*Collins	(D)	67	+	+
	21	Costello	(D)	15	+	+
Indiana						
	1	Visclosky	(D)	24	+	+
	10	Jacobs	(D)	27	+	+
Kentucky						
	3	Mazzoli	(D)	20	+	+
Louisiana						
	2	Boggs	(D)	59	+	+
	3	Tauzin	(D)	20	-	+
	4	McCrery	(R)	32	-	-
	5	Huckaby	(D)	31	-	-
	6	Baker	(R)	25	-	-
	7	Hayes	(D)	20	-	+
	8	Holloway	(R)	38	-	-
Maryland						
	1	Dyson	(D)	19	+	+
	3	Cardin	(D)	16	+	+
	4	McMillen	(D)	21	+	+
	5	Hoyer	(D)	35	+	+
	7	*Mfume	(D)	73	+	+
Massachusetts						
	9	Moakley	(D)	16	+	+
Michigan						
	1	Conyers	(D)	71	+	+
	7	Kildee	(D)	15	+	+
	13	*Crockett	(D)	71	+	+
Mississippi						
	1	Whitten	(D)	25	+	+
	2	*Espy	(D)	58	+	+
	3	Montgomery	(D)	32	-	-
	4	Parker	(D)	42	-	-
	5	Taylor	(D)	19	-	-
Missouri						
	1	*Clay	(D)	52	+	+
	5	*Wheat	(D)	23	+	+
New Jersey						
	10	*Payne	(D)	58	+	+
New York						
	6	*Flake	(D)	50	+	+
	11	*Towns	(D)	47	+	+
	12	*Owens	(D)	80	+	+
	16	*Rangel	(D)	49	+	+

State	Congressional District	Member		Black Population (%)	LaFalce Substitute	Hawkins Bill
	17	Weiss	(D)	16	+	+
	18	Serrano	(D)	44	+	+
	20	Lowey	(D)	16	+	+
	33	Nowak	(D)	19	+	+
North Carolina						
	1	Jones	(D)	35	+	+
	2	Valentine	(D)	40	+	+
	3	Lancaster	(D)	27	+	+
	4	Price	(D)	20	+	+
	5	Neal	(D)	16	+	+
	6	Coble	(R)	21	-	-
	7	Rose	(D)	27	+	+
	8	Hefner	(D)	20	+	+
	9	McMillan	(R)	23	-	-
Ohio						
	1	Luken	(D)	16	+	+
	2	Gradison	(R)	16	-	-
	3	Hall	(D)	18	+	+
	12	Kasich	(R)	15	-	-
	21	*Stokes	(D)	62	+	+
Pennsylvania						
	1	Foglietta	(D)	32	+	+
	2	*Gray	(D)	80	+	+
	14	Coyne	(D)	22	+	+
South Carolina						
	1	Ravenel	(R)	32	-	-
	2	Spence	(R)	35	-	-
	3	Derrick	(D)	23	+	+
	4	Patterson	(D)	19	+	+
	5	Spratt	(D)	33	+	+
	6	Tallon	(D)	41	+	+
Tennessee						
	5	Clement	(D)	22	+	+
	8	Tanner	(D)	20	+	+
	9	*Ford	(D)	57	+	+
Texas						
	1	Chapman	(D)	20	-	+
	2	Wilson	(D)	16	+	+
	5	Bryant	(D)	20	+	+
	8	Fields	(R)	17	-	-
	9	Brooks	(D)	21	+	+
	12	Geren	(D)	17	-	+
	18	*Washington	(D)	41	+	+
	24	Frost	(D)	32	+	+
	25	Andrews	(D)	25	+	+
Virginia						
	1	Bateman	(R)	31	-	-
	2	Pickett	(D)	23	+	+
	3	Bliley	(R)	28	-	-
	4	Sisisky	(D)	40	+	+
	5	Payne	(D)	25	-	+
Wisconsin						
	5	Moody	(D)	28	+	+

+ = Favorable - = Unfavorable NV = Non-voting * Member of the Congressional Black Caucus

Cleveland C. Woodson, a senior at Kent State University and summer intern at the Joint Center, was a contributing TL reporter/writer this month.

Voting Rights 25 Years After Selma

While the Political Participation of Black Americans Has Been Expanded Since the 1960s Through Litigation, the Fight Is Not Over and the Struggle Continues

by Frank R. Parker

Much of the following article is based on Mr. Parker's recently released book, Black Votes Count, *which he researched as a MacArthur Foundation Distinguished Scholar at the Joint Center. The book describes the struggle for political justice in Mississippi since the passage of the Voting Rights Act in 1965. As an attorney with the Lawyers' Committee for Civil Rights Under Law, Mr. Parker has spent many of the last 20 years fighting in the courts to secure the full protections of the Act.*

Twenty-five years ago, thousands of Americans responded to Rev. Martin Luther King's call to converge on Selma, Alabama, to complete the march to Montgomery that had been beaten back by state police at the Edmund Pettus Bridge on March 7, 1965, Bloody Sunday. This march became the catalyst for congressional passage of the Voting Rights Act and for President Johnson's signing the law in August of that year. Since then, black voters and civil rights attorneys have been fighting in the courts to secure the Act's full protections. As we celebrate the 25th anniversary of this landmark legislation, it is appropriate to take stock of the strides we've made so far while remembering that the march for political rights that began in Selma still continues in the courts.

The Voting Rights Act enabled black and Hispanic voter registration, as well as the number of black and Hispanic elected officials, to increase dramatically. Moreover, it improved the quality of state and local government, particularly in the South and Southwest. The Act, which has helped make possible the election of several minority members of Congress, promoted democratic pluralism by making the composition of state and local governments more reflective of the racial and political diversity of their communities. In most of the Deep South's Black Belt, the Voting Rights Act put an end to plantation government and domination by white segregationist elites.

Apart from striking down such barriers to voting as poll taxes and literacy tests, the Act's greatest impact at the state level has been the elimination of at-large elections in multimember legislative districts. Multimember districts, which once prevailed throughout the South and Southwest, dilute the voting strength of minorities by submerging existing concentrations of minority voters in citywide or countywide at-large elections.

The language of the Act does not expressly forbid multimember districts. But the law's general protections against racial discrimination in voting practices have been interpreted by the Justice Department and most courts to prohibit such districts. These case rulings have resulted in the racial diversification of state and local governments.

A Sea Change in Mississippi

For many states, this change was a long time coming. Nowhere was it harder to achieve than in Mississippi—one of the last bastions of resistance to the Act. Here the single lawsuit challenging at-large state legislative elections went on for 14 years, including nine trips to the Supreme Court, until multimember districts were finally eliminated in 1979.

The full import of this change did not hit Mississippi until eight years later. By 1987, a new majority coalition had been forged in the state House of Representatives from two new forces in legislative politics. One element of the coalition was the House Black Caucus, made up of 18 members. Most of them were first elected in 1979 as a result of court decisions that required large multimember districts to be subdivided into smaller, single-member districts. Many of the new districts were majority black.

The other, larger element of the coalition comprised what political scientist Earl Black has termed the "New South generation" of white legislators: younger, better-educated representatives who reached maturity after state-enforced school segregation had come to an end. Their election to the Mississippi legislature was an unexpected—and little noted—bonus of the switch to single-member districts. Elected primarily in 1979 and 1983, they won office for two reasons. First, the remapping of election districts had eroded the countywide power bases of the old guard. Second, the smaller, more compact districts now made it possible for younger white candidates to challenge well-funded incumbents, since the smaller districts made campaigns less costly and made door-to-door canvassing an effective election tool.

By the mid 1980s, this new political majority was poised to wrest control of the House from its 11-year domination by Speaker C.B. "Buddie" Newman and the white planter elite. A force in state government and long an avowed

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Frank R. Parker is director of the Lawyers' Committee's Voting Rights Project. Portions of this article are adapted from his new book, *Black Votes Count: Political Empowerment in Mississippi After 1965*, published by the University of North Carolina Press.

segregationist, Newman, like powerful speakers before him, had used his position to block enactment of numerous progressive measures. Also, like previous speakers, Newman had his political base, ironically, in the heavily black Delta region.

The new coalition of black and white legislators had combined in 1987 to force passage of a House rule change that dramatically reduced the speaker's power. On March 26, 1987, Newman announced he was stepping down with the comment, "I just think it's best for Mississippi if I get out of the way." As political columnist Bill Minor of Jackson, Mississippi, noted at the time, "Historically, it is more than the Newman era that is coming to an end. It could be said that it will be the end of the Delta dynasty in the House." The forces that had brought Newman down were rooted in the elimination of multimember districts eight years earlier.

Newman's departure symbolizes the dramatic changes that the Voting Rights Act has produced throughout the Deep South. The impact of the law is evident in national as well as state politics. Southern Democratic senators once led the opposition in Washington to any civil rights measure. In the last decade, however, they provided crucial votes to extend the Voting Rights Act, defeat the nomination of Robert Bork to the Supreme Court, and pass both the Civil Rights Restoration Act in 1988 and the Civil Rights Act of 1990. Similarly, the new breed of Southern governors—like Ray Mabus of Mississippi, "Buddy" Roemer of Louisiana, and Bill Clinton of Arkansas—depend on black votes to get elected and are much more responsive to black interests than were many of their predecessors.

The Struggle Continues

Despite this progress, the struggle for full minority voting rights is far from over. The gratifying successes of David Dinkins' election as mayor of New York and L. Douglas Wilder's election as governor of Virginia, along with the new record of 7,370 black elected officials (according to the Joint Center's 1990 *Roster of Black Elected Officials*) must be balanced against realities. Today, black officeholders still constitute less than two percent of all elected officials nationwide, and in most parts of the country black and Hispanic candidates still can win election only in jurisdictions where the majority of voters are, like them, black or Hispanic.

This brings us to what the Rev. Jesse Jackson has termed the "unfinished business of the Voting Rights Act." The Act swept away poll taxes and literacy tests, but it left undisturbed other restrictive voter registration procedures, such as limits on time and place of registration, restrictions on appointment of deputy registrars, and dual registration requirements, which continue to impede minority progress.

The United States today has the lowest level of voting participation of any major industrialized democracy. A major factor in this low turnout is the country-wide crazy-quilt of state voter registration procedures. While more than half of the states have adopted mail-in and agency-based registration (such as at motor vehicle bureaus), this leaves the other half with restrictive procedures that have a discriminatory impact on minorities. These include requirements that voters register twice, once with the municipal registrar to vote in municipal elections and again with the county registrar for federal, state, and county elections.

In February of this year, the National Voter Registration Act (H.R.2190), designed to ease these barriers to voting, passed the U.S. House of Representatives. A similar measure (S.874) is currently pending in the Senate. But even if the legislation passes Congress and is signed into law, individual states will be free to maintain their own restrictions for state and local elections, because the bills apply only to federal elections.

Furthermore, there are areas of the country and election systems that until recently have remained untouched by voting rights litigation. Arkansas, for example, retained racially gerrymandered legislative districts until last year when the courts struck them down. Discriminatory at-large elections for state judicial officials, which Lawyers' Committee attorney Robert McDuff has called "one of the last bastions of political segregation," went unchallenged until the Lawyers' Committee won the first case nationwide in 1987. Cases challenging at-large judicial elections are now pending in Alabama, Arkansas, Florida, Georgia, Louisiana, Ohio, and Texas.

Remapping Opportunities?

As states get ready to remap their districts based on 1990 census results, civil rights leaders are concerned about a number of voting rights problems. The anticipated undercount of minorities will place them at a disadvantage, not only in the distribution of federal funds, which are based on population statistics, but also in the redrawing of district maps, where the undercount of minorities is likely to be translated into their electoral underrepresentation.

The redistricting of congressional, state, and local jurisdictions that follows each decennial census provides new chances to improve minority political participation, but it also creates new opportunities for racial gerrymandering. Current projections indicate that 20 of the 24 congressional districts now held by black members of Congress must be redrawn, some substantially. On the other hand, seven states, mostly in the South and Southwest, are projected to gain new seats—California (seven), Texas and Florida (three each), and Virginia, North Carolina, Georgia, and Arizona (one each). These reallocations of congressional seats carry with them the opportunity to create new majority black and Hispanic districts.

The passage of the 1965 Voting Rights Act caused minority political participation to bloom, not only in the South and Southwest, but nationwide. Nonetheless, despite tremendous progress, the Act's promise of equitable access to the electoral process remains unfulfilled. While practically all of the overt obstacles to political participation have been removed, subtle barriers remain. To eliminate these last remnants of inequity, civil rights advocates are pursuing in the courts the struggle that was begun by marchers in Selma two and a half decades ago. ■

Welfare Reform Short-Changed

State-Run Programs to Bring Welfare Recipients into the Job Market Are Threatened by Limited Funds and Employment Opportunities

by Katherine McFate

The 1988 Family Support Act (FSA), designed to reform the longstanding Aid to Families with Dependent Children (AFDC) program, must be implemented in every state by October. The Act aims to transform AFDC, the nation's primary system of income support for poor families, into an education, training, and employment program, one that will help heads of welfare families enter the labor market. But state budget difficulties and lagging political commitment to the measure are likely to undermine the impact of the Act's reforms.

The federal government will provide matching grants to states to support the mandated services under the Job Opportunities and Basic Skills (JOBS) section of the Act. Long-term welfare recipients and those at risk of becoming long-term dependents (e.g., teen mothers and high school dropouts are targeted). Blacks are overrepresented among each of these groups.

The Act's reforms are likely to be very costly. Educational programs and support services such as child care (which enables welfare mothers to participate in employment programs) have already proven more expensive than was anticipated. For example, administrators of California's welfare-to-work program, Greater Avenues for Independence Gain, initially underestimated the number of AFDC recipients needing basic remedial education; instead of 15 percent, it turned out that 60 percent required this service. The price tag for California's education component therefore mushroomed by 130 percent. In other states, half the funds spent on welfare-to-work programs go to pay for child care expenses alone.

States where large numbers of black AFDC clients are concentrated vary greatly in both their commitment and their financial ability to support JOBS programs. At one end of the welfare-to-work continuum are California, Michigan, Ohio, New York, Illinois, and Pennsylvania (whose AFDC clients are majority white) which began offering a comprehensive array of services to AFDC family heads several years before FSA passed. At the other end stand most of the Southern states, where a majority of AFDC clients are black. The funding of their employment and training programs has been minimal.

Even in the most progressive states, welfare-to-work programs are imperiled by growing budget crises. This year, New York State has a deficit of $4 billion; California's is $3 billion, and Illinois' is $300 million. New Jersey had to impose $1.4 billion in new taxes to head off its own deficit. Although Michigan, Ohio, and Pennsylvania have not yet had to impose new taxes, their governors have announced belt-tightening spending policies.

JOBS is predicated on the notion that the economy would provide employment to the heads of poor families—if they just had the proper skills and adequate day care support. Yet even in areas with low unemployment, black joblessness rates are usually twice those of whites. It is not clear that these disparities would disappear even if differences in educational attainment did.

If regional and local economies cannot absorb new, low-skilled labor market entrants, JOBS will not be able to increase employment or reduce the welfare rolls. If politicians and the general public come to believe that inability to move into the labor force stems from a lack of motivation on the part of the poor themselves, rather than from the limited opportunities available to them, the stage could be set for a more punitive approach in the next round of welfare reforms. ■

1988 Funding Levels Per Recipient for Welfare-to-Work Programs in Selected States

1 Funding per participant in state welfare-to-work programs
2 Black AFDC recipients as a % of state AFDC population
Source: National Governors' Association; U.S. House Ways and Means Committee

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Ms. McFate is a senior research associate in social policy at the Joint Center. This article is excerpted from her working paper, "Blacks and the Family Support Act: The Geography of Welfare Reform." Copies can be obtained by writing the Joint Center.

Discrimination and Immigration Law

(Continued from page 4)

planning and billions of dollars. Sen. Orrin Hatch (R-Utah) describes the proposal as a search for a "holy grail" that is "doomed to be costly, lengthy, and futile."

Limiting Equal Protection

Advocates of repeal reject the idea that we must accept limits on the Fourteenth Amendment principles of equal protection if illegal immigration is to be stopped. Hispanic congressman Edward Roybal (D-Cal.) says, "In my opinion, the failure of Congress to repeal employer sanctions is tantamount to the abdication of its responsibility to protect the rights of Americans, regardless of their race or ethnic origin."

Those who advocate ending sanctions also challenge the GAO's conclusion that IRCA has reduced illegal immigration significantly. According to Raul Yzaguirre, president of La Raza, it is too early to pronounce sanctions effective. Yzaguirre notes that reports from the U.S. Department of Labor as well as anecdotal reports from other sources "indicate that undocumented persons continue to find work in the United States while working in conditions worse than before."

Roybal and Hatch have introduced the Employer Sanctions Repeal Act of 1990 (H.R.5185 and S.2797), which would enforce immigration laws at the border rather than in the workplace. The bill would expand funding and personnel for the border patrol. It would expand the resources for the Labor Department's Wage and Hour Division, which investigates violations concerning high concentrations of undocumented aliens, and fix stiffer penalties for smuggling and harboring undocumented immigrants. In effect, the provisions of the bill would once again make the Immigration and Naturalization Service solely an enforcement agency, relieving it of the responsibilities of a regulator and educator of the nation's employers.

The Future for Employer Sanctions

The prospects for overturning sanctions in the near future by means of the Roybal-Hatch proposal are not good. Legislators may be reluctant to back out of the carefully-crafted compromise in the 1986 law, whereby the amnesty program was accepted in exchange for approval of the sanctions. Recent action by the House Subcommittee on Immigration, Refugee Affairs, and International Law indicates that neither repeal nor reform will be considered by Congress this fall.

Both houses await the report of a special task force appointed in June by the attorney general to study IRCA-related discrimination. Headed by John Dunne, assistant attorney general for civil rights, the task force expects to report its findings to Congress in September.

The controversy over employer sanctions underscores the fundamental dilemma facing a free society that has an overwhelmingly immigrant population yet wishes to control its borders. Many legislators believe that employer sanctions are the least offensive way to control our borders. Heightened border enforcement measures could threaten the civil liberties and rights of many American citizens and legal residents who live along the border, promoting unlawful searches and seizures. If employer sanctions remain on the books, Congress will have to carefully monitor their impact. If they are repealed, legislators will have to return to the drawing board to find an effective and fair means of enforcing immigration policies.

In a year when Congress's commitment to civil rights has already been affirmed by passage of the Civil Rights Act of 1990, employer sanctions pose yet another test of Congressional will to extend equal protection under the law to all Americans. ■

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The Black Caucus: 20 Years of Achievement

As They Expand Their Political Power on Capitol Hill, Black Members of Congress Face New Challenges That Test Their Unity

Import Workers or Train Americans

Immigration Reform Proposal Seeks Skilled Workers From Abroad

Souter: How Conservative?

Civil Rights Lawyer William Taylor Discusses Supreme Court Appointee David Souter With Focus *Editor David Ruffin*

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More Insults From Japan

Recently, a new incident was reported in the growing series of derogatory remarks made by high Japanese officials against black Americans. Justice Minister Seikoru Kajiyama, describing the harm done by the influx of prostitutes into a Tokyo neighborhood, likened the situation to racial desegregation in American cities. A news account quoted him as saying: "It is like in America when blacks move into a neighborhood and whites are forced to leave."

The Joint Center responded swiftly, calling on President Bush and the Japanese ambassador to publicly denounce these remarks. Ambassador Ryohei Murata assured me in a letter that he had communicated his concern over the incident to his government. To quell the protest unleashed by his comment, Minister Kajiyama formally withdrew his remark and apologized, first at a news conference and later directly to Michael Armacost, the U.S. ambassador in Tokyo.

This is not the first time racist and degrading references have been directed at black Americans by Japanese officials. And Minister Kajiyama's apology, while certainly called for, will not end the problem. In 1986, after his inflammatory remarks about blacks' causing the low literacy rate in the U.S., then-Prime Minister Nakasone also apologized. Then in 1988, after Liberal Democratic Party policy chief Michio Watanabe implied that black Americans do not honor their debts, he and then-Prime Minister Takeshita both apologized.

These recurring incidents reflect the stereotyping of blacks that is pervasive in Japanese popular culture. Two years ago, a furor arose over the latest "rage" in Japan: Little Black Sambo and his sister Hanna. Under protest, toys, beachwear, and other items bearing these figures were pulled from the stores. Negative stereotypes of black Americans have been evident among store window mannequins, in drawings that illustrate world maps in classroom materials, and even comic books.

Thus, ending the offensive statements by Japanese leaders about blacks requires rooting out underlying racial attitudes. This is not likely to be an easy task because such attitudes are shaped by Japanese history, culture, and popular perceptions, the latter influenced in large measure by whites from Europe and the U.S.

I recently travelled to Japan in connection with the new U.S.-Japan Project at the Joint Center. The project was launched this year to promote better communications between black Americans and the Japanese people. During that visit, I was startled to discover the degree to which racist beliefs persist among the Japanese. I was heartened, however, to learn that some individuals and groups in Japan are taking steps to examine and address those stereotypes among other Japanese.

To find negative stereotypes about black Americans halfway around the world is dismaying, but not surprising. The caricatures of Sambo and Hanna are, after all, borrowed directly from America's past. Many of the damaging media portraits of blacks that we have rejected in this country live on in reruns and syndications around the world.

It is certainly not in the interest of Japan to continue to offend black Americans whose influence in the U.S. is increasing, with 7,400 elected officials and a gross income this year of $250 billion. The Joint Center's new U.S.-Japan Project is designed to play a role in smoothing the racial friction between the Japanese and black Americans. We hope that this comprehensive program involving research, fellowships, and seminars as well as publications and video materials will establish a forum for communications and foster tolerance and understanding. ■

Eddie N. Williams

PRESIDENT

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The Black Caucus: 20 Years of Achievement

As They Expand Their Political Power on Capitol Hill, Black Members of Congress Face New Challenges That Test Their Unity

by Paul Ruffins

Born in the early Seventies, the Congressional Black Caucus (CBC) emerged as the civil rights decade ended. Martin Luther King and Robert Kennedy had recently been assassinated, and Richard Nixon had just been elected president. Black America watched white America's support for Lyndon Johnson's War on Poverty sour into an endorsement of the "benign neglect" approach embraced by President Nixon. Yet despite these disappointments, some things had changed for the better. The Voting Rights Act of 1965 held out the promise of a level political playing field. Hundreds of thousands of black people had registered and voted for the first time, and black representation in Congress more than doubled between 1966 and the CBC's founding in 1970.

Today's roster of 24 CBC members marks the largest number of black members of Congress ever to serve at the same time. The last two decades of Caucus history have shown how increasing size brought increased influence. The challenge of the CBC's next decade will be to ensure that increasing diversity and the growing clout of its members do not result in conflict and competition.

In many ways, the original 13 members of the Congressional Black Caucus embodied a broad spectrum of black leadership styles and philosophies. There were experienced legislators such as Charles Diggs of Detroit and Augustus Hawkins of Los Angeles, some certified hell-raisers such as Shirley Chisholm of Brooklyn and William Clay of St. Louis, and energetic radicals like John Conyers, also from Detroit, and Ronald Dellums from Berkeley. Most of them had in common their active involvement in the civil rights movement.

In 1971, these 13 black legislators, at the time the greatest number yet seen since Reconstruction, decided to leverage their clout by forming an officially recognized caucus within the U.S. House of Representatives. Its goal would be to promote the general welfare of black Americans nationwide through legislation designed to meet the needs of millions of neglected citizens. In time, these strong and often contentious personalities would meld into a legislative organization that has become incredibly effective for its size.

The CBC first burst into the national spotlight in March of 1971 when it presented President Richard Nixon with a list of 60 recommendations on domestic and foreign affairs.

Mr. Ruffins, senior editor of *Black Networking News*, is the former publications editor of the Congressional Black Caucus Foundation.

Since that time, the Caucus has rolled up many significant legislative achievements. In 1977, Baltimore Congressman Parren Mitchell (1971-1987) successfully sponsored an amendment to the Public Works Employment Act, which provided a 10 percent minority business set-aside affecting the bill's $4 billion in federal projects. The Caucus helped defeat the 1979 Anti-Busing Amendment sponsored by Rep. Ron Mottl (D-Ohio) which would have declared busing to be unconstitutional. In 1981, the group spearheaded the movement to extend the Voting Rights Act. That was also the first year the Caucus produced its own alternative federal budget which, by advocating substantial cuts in military spending, would have reduced the federal budget deficit while increasing funding for significant social programs.

Caucus-sponsored legislation enacted in 1983 established Dr. Martin Luther King's birthday as a national holiday. In 1985, the CBC used its influence to protect critical domestic programs like social security from automatic cuts under the Gramm-Rudman-Hollings balanced budget law. The Anti-Apartheid Act of 1986, imposing economic sanctions on South Africa, was passed over President Ronald Reagan's veto. And this summer, the CBC saved the Civil Rights Act of 1990 from defeat in the House by lobbying intensely for its passage and against a damaging substitute measure. Caucus members have proven to be among Congress's most prolific legislators. In 1988 alone, the 24 black representatives authored more than 420 bills and amendments.

Institutional Leadership

Any real analysis of the CBC must assess it not simply as a collection of individual members but as an institution with its own impact. The Caucus's strength is partly due to its rotating chairmanship and to the fact that leadership does not revolve around a single personality. CBC members also learned early to diversify their legislative interests. The organization's first chairman, Charles Diggs, with 16 years in Congress, counseled CBC members to spread themselves around on as many different House committees as possible. Following Diggs' advice, Caucus members today are on practically every committee and are thus able to influence the formulation of most pieces of legislation from the earliest stages.

"Diggs also reminded us," says Mitchell, "that time passes

(Continued on page 4)

quickly on the Hill, so that the seniority system would begin to work for us faster than we probably realized." Diggs was prophetic. Most CBC members proved unbeatable in their districts, and today the Caucus's 24 members chair five full committees and 18 subcommittees.

Amelia Parker, CBC executive director since 1985, notes several other benefits that the formation of an official caucus has yielded. As a group, the Caucus could consider as part of its mission the representation of millions of blacks living in the South and elsewhere who had no black representative in Congress. Within the structure of House protocol, it's considered an intrusion for one member to become involved in the affairs of another's district. But by forming the Caucus, individual black members gained an institutional vehicle for advocating the interests of black Americans nationwide. In fact, the Caucus has been so successful in its institutional advocacy that it became a prototype on Capitol Hill for the Hispanic and women's caucuses. The influence of the Caucus does not end at American borders, either—the CBC has also become a model for the Parliamentary Black Caucus in Britain.

Struggling to Build a Strong Foundation

If the CBC's main accomplishments have been in legislation and politics, its main limitations have been its mixed record of organizational development outside Congress. In 1976, it established the Congressional Black Caucus Foundation (CBCF). Unfortunately, over the years this organization has suffered a profound and continuing identity crisis. As a legally separate nonprofit organization, the CBCF cannot become involved in lobbying, campaigning, or other partisan political activities.

Both the congressional and the non-congressional members of the CBCF's board of directors have been unable to decide on a consistent focus that would not conflict with or overlap the missions of other institutions. For example, one of the Foundation's proposed functions was to perform political research. However, concentrating on research would put the CBCF into the position of reinventing the wheel because members already had access to the vast research capabilities of the Library of Congress and its Congressional Research Service.

In addition, adopting a research focus would duplicate the work of the Joint Center for Political and Economic Studies which also has had CBC members on its own board. Becoming involved in voter registration would have put the CBCF into competition with the National Coalition on Black Voter Participation. Finally, in addition to lacking a clear-cut mandate, the Foundation had gone without a permanent executive director since 1985.

So far, the Foundation's more consistent achievements have been its fundraising, educational programs, and Annual Legislative Weekend. When the foundation inaugurated its graduate internship program in 1976, it conducted a survey which indicated that fewer than 1,000 of the 18,000 congressional employees were black, most of them clerical and blue-collar personnel, while only about 25 black staffers held policy-making positions.

Designed to expose more black graduate students to the legislative process, the graduate internship program provided students with a stipend and placed them on congressional committees or in the offices of individual legislators. The CBCF's Annual Legislative Weekend has been a consistent success both as a fundraiser and as a networking and strategy opportunity for policy experts and political activists from around the nation. In recent years the Weekend has attracted over 30,000 participants.

The Challenges of Growth and Diversity

During the next decade the Caucus will have to respond to many political challenges, including at least two more years of a Republican administration and an increasingly conservative Supreme Court. It will also have to contend with two other developments that will undoubtedly change the way CBC members interact with each other and the Congress as a whole. These are the increasing diversity of opinion among black elected officials and CBC members' conflicting roles as they chair more committees and gain more powerful positions in the House leadership.

Several years ago, when Rep. Mervyn Dymally (D-Cal.) was chairing the Caucus, he was asked how he saw his role. Dymally responded, "I see my role as coordinating various members' points of view. When we are considering a particularly important piece of legislation, I alert the members to any issues that could be divisive, and try to reconcile any conflicting viewpoints."

Although CBC members are in agreement on issues more than 90 percent of the time, conflicts among them seem to be growing more common. Reps. Major Owens (D-N.Y.) and Harold Ford (D-Tenn.) publicly took opposite positions in a debate over Ford's welfare reform bill. Rep. Mike Espy (D-Miss.) broke with the Caucus's longstanding pro gun control policy when he appeared in an advertisement for the National Rifle Association. He explained that, unlike urban districts where handguns are associated with an epidemic of violent crime, in his district many constituents still hunt for food, and it wasn't that long ago when black people in the South needed firearms to protect themselves from the Ku Klux Klan.

More recently, Rep. George Crockett of Detroit went on record as favoring the legalization of drugs, despite the fact that his CBC colleague Charles Rangel from Harlem, who chairs the House Select Committee on Narcotics Abuse and Control, had strongly criticized Baltimore Mayor Kurt Schmoke for making a similar suggestion.

In its early years the Caucus also weathered disagreements, such as the decision by Shirley Chisholm to run for president in 1972 without consulting her colleagues, and in 1974 when Andy Young broke with the Caucus and supported the confirmation of Gerald Ford as vice president.

As the Caucus grows, incorporating members from new geographical regions, from white majority districts, and from the Republican Party, disagreements within the group will probably increase. From four to six new members are expected to join the Caucus in the 102nd Congress this

(Continued on back page)

POLITICAL TRENDLETTER®

TrendLetter has prepared the following campaign update, highlighting selected 1990 elections involving black candidates.

CALIFORNIA

MAXINE WATERS, a Democratic assemblywoman from Los Angeles, is expected to be victorious in her bid to take the 29th Congressional District seat held by retiring Congressman AUGUSTUS "GUS" HAWKINS. Her opponents, Republican BILL DEWITT and Libertarian WAHEED R. BOCTOR, are relatively unknown in this predominantly black and Hispanic district, which is overwhelmingly Democratic. She easily defeated three opponents in the June 5 Democratic primary by garnering 88 percent of the vote.

Waters has represented the district, which encompasses Lynwood, South Gate, and south-central Los Angeles, in the California Assembly for 14 years, and she has established a reputation as a dedicated and conscientious legislator who champions issues affecting minorities, women, children, and the poor. She is also responsible for initiating legislation that divested state funds from corporations doing business in South Africa. In May of 1984, she was elected to chair the Democratic Caucus, one of the highest leadership positions in the state assembly. Well known in national political circles, Waters is a member of the Democratic National Committee and served as a delegate for Rev. **JESSE JACKSON** at the 1984 and 1988 Democratic national conventions.

In Oakland, city council member WILSON RILES, JR., and State Assemblyman ELIHU HARRIS will face off in the November 6 general election in a bid for the mayor's seat being vacated by LIONEL WILSON, who served for 13 years. Wilson lost his reelection bid in the June 5 primary, coming in third in a field of nine candidates. Harris, who was not expected to do as well as he did in the primary, was the top votegetter, receiving 34,733 votes to Riles' 18,505. An attorney who has served in the assembly for 12 years, Harris represents the state's 13th district, which includes the entire city of Oakland and the cities of Alameda and Emeryville. He chairs the assembly's Joint Legislative Audit Committee and also serves on the Health, Judiciary, and Ways and Means committees. If elected, Harris says he will focus on education, drugs, and the expeditious reconstruction of the Cypress Freeway, destroyed in last year's earthquake.

Riles came in second with 18,505 votes and now faces Harris in the general election. During his 10 years as a city council member, Riles has built up strong name recognition as an advocate for affordable housing and for the protection of residential neighborhoods from downtown development. He also led the fight to have the city designated a nuclear-free zone. He had unsuccessfully opposed incumbent Mayor Wilson in 1985, garnering 31 percent of the vote.

CONNECTICUT

Three-term Republican Alderman GARY FRANKS from Waterbury is vying for Connecticut's 5th Congressional District seat, being vacated by three-term Republican Congressman JOHN ROWLAND, who is running for governor. If Franks wins, he will become the first black congressman from Connecticut. Franks, a 37-year-old, Yale-educated businessman, has significant experience in industrial and labor relations. He has worked for two Fortune 500 companies, Continental Can and Chesebrough Ponds, and he owns a real estate investment firm. Franks has served as president pro tempore of the board of aldermen, vice chairman of the zoning commission, and chairman of the Rules and Redevelopment committees. In 1986, he made an unsuccessful bid for the state comptroller's office. Although he did not win, his supporters are quick to point out that he carried the 5th district in that election.

Franks' opponent in November is former three-term Democratic congressman TOBY MOFFETT, who represented the 6th district of Connecticut which includes Bristol and New Britain. He gave up his seat in 1982 to run unsuccessfully for the U.S. Senate against then-Senator **LOWELL P. WEICKER, JR.**, a Republican. Since

1982, Moffett has worked as a television news anchor for the NBC affiliate in Hartford. The 5th district, which is 95 percent white, includes Danbury and Waterbury. Once a Democratic stronghold, the district has voted Republican in the past four presidential elections.

DISTRICT OF COLUMBIA

Vowing to "clean house," Washington business executive SHARON PRATT DIXON did the unexpected on September 11 and won the Democratic nomination for mayor. Dixon's surprising victory was a coup d'etat of sorts, built on strong support from both white and black voters. Her vote margins in the black community exceeded those won in 1978 by outgoing Mayor MARION BARRY, in his first election, which like Dixon's was a surprise upset. She soundly defeated two veteran city council members, JOHN RAY and CHARLENE DREW JARVIS, whom polls had indicated were the front runners throughout the summer, and white City Council Chairman DAVID A. CLARKE and Congressional Delegate WALTER E. FAUNTROY, both of whom faired poorly in the five-way mayoral primary.

A native Washingtonian, lawyer, former utility company executive, and former treasurer of the Democratic National Committee, Dixon came from behind in the polls and in fundraising to garner 35 percent of the vote. **Dixon's campaign did not gain momentum until after Labor Day, when two major endorsements—by the *Washington Post* and a widely read weekly newspaper, the *City Paper*—gave her credibility as a viable candidate. Prior to these endorsements, she was viewed as fighting a losing battle. She had a small staff and minimal funding, and was widely criticized as "cold and aloof." The theme of change permeated Dixon's campaign and was reinforced by broom-brandishing campaign workers and supporters, a symbol of the "clean sweep" she promised in the city government. If elected, Dixon has said she will clean house not with a broom but with a shovel: by firing 2,000 middle-management officials in the city agencies.**

The primary results were a surprise-filled culmination to a politically hot summer in the nation's capital. The elections were held just a month after the city's mayor was found guilty on one count of cocaine possession. The three-month trial was a local version of "sex, lies, and videotape" that raised questions of ethics, morality, and racial polarization. Consequently, talk of the need for healing, renewal, dignity, integrity, and of course change dominated the campaign. At the 11th hour, Barry silenced speculation that he would run for a fourth term as mayor. Instead, his name will appear on the November ballot as an independent candidate for an at-large city council seat.

In November, Dixon will face Republican candidate **MAURICE TURNER**, who joined the Republican Party last summer. Turner served on the city's police force for 32 years and as chief for eight. Although the District is overwhelmingly Democratic, Turner has high name recognition and is well respected in the city.

Former Equal Employment Opportunity Commission Chair ELEANOR HOLMES NORTON won the Democratic nomination for the city's non-voting delegate seat in Congress. Pre-primary polls had consistently indicated that Norton was the frontrunner. However, four days before the primary, a rival campaign faxed information to the press regarding Norton's failure to file D.C. income tax returns for the past seven years. In an attempt to control the damage, Norton apologized for what she said was an oversight (for which she blamed husband ED NORTON). Despite the revelations about her taxes, Norton's lead held and she won with 40 percent of the vote, beating out a cast of four other Democrats, including white city council member BETTY ANN KANE, her closest competitor; former Barry administration official JOSEPH YELDELL; newspaper publisher, attorney, and former aide to the House Committee on the District of Columbia DONALD TEMPLE; and city drug czar STERLING TUCKER. In November, Norton will face black Republican **HARRY SINGLETON**, an attorney and former Reagan administration official. Like Dixon, Norton has never held elective office. Both are expected to easily defeat their GOP opponents.

Rev. Jesse Jackson was also victorious, winning the Democratic nomination for the position of "shadow" senator for the District of Columbia. In that position, Jackson is expected to be one of the District's chief lobbyists for statehood.

LOUISIANA

On October 6, black State Senator WILLIAM JEFFERSON and attorney MARC MORIAL (the son of ERNEST "DUTCH" MORIAL, the city's first black mayor) topped a field of twelve candidates competing to

replace retiring New Orleans Congresswoman LINDY BOGGS, who represents Louisiana's 59 percent black 2nd district. The crowded contest included six blacks and six whites. Jefferson, who got 24 percent of the votes, and Morial, who got 23 percent, will face each other in a November 6 runoff.

Jefferson is a 43-year-old Harvard Law School graduate who has served in the state senate since 1979 and chairs the Government Affairs and Finance Committee. He has made two unsuccessful runs for mayor of New Orleans. The latest, in 1986, came down to a bitter run-off contest. The victor in that race, Mayor **SIDNEY BARTHELEMY**, endorsed Jefferson for the congressional seat. Barthelemy and former mayor Morial were political rivals.

This campaign is Marc Morial's first bid for public office. Morial, 32, operates his own law firm and is an adjunct professor of political science at Xavier University in New Orleans. He was also a congressional aide to the late U.S. representative **MICKEY LELAND** from Houston.

Black Democratic State Senator CLEO FIELDS failed in his bid to gain the state's 8th Congressional District seat. Fields, with 30 percent of the vote, finished second behind two-term Republican incumbent CLYDE HOLLOWAY who garnered 56 percent of the tally. Democratic State Senator JOE McPHEARSON came in third with 14 percent. A nurseryman, Holloway has opposed busing to achieve school desegregation, and he helped create a private school as an alternative to integrated schools. Fields was elected to the Louisiana Senate in 1987 at the age of 24, representing a district which includes his hometown, Baton Rouge. He authored the law that created an inner-city economic development program in the state as well as legislation designating schools and college campuses as drug-free zones.

Dr. **EDWARD RENWICK**, director of the Institute for Policy Studies and an associate professor of political science at Loyola University in New Orleans, says that although the district traditionally votes Democratic, when race is involved the residents vote race.

NEBRASKA

In May of this year, following his unsuccessful bid for his party's attorney general nomination, white Republican JOHN DeCAMP said Nebraskans were not ready to elect a black attorney general. The remark was aimed at EUGENE "GENE" CRUMP, 43, the black Democrat who is now the state's deputy attorney general. Crump will test the validity of DeCamp's statement in November by attempting to become the first black attorney general in the state, which has a black population of only three percent and no history of electing black politicians to statewide or congressional office.

Crump received 58 percent of the vote in the May 15 Democratic primary, defeating his lone opponent, Lincoln attorney ALLEN EUREK, by more than 20,000 votes. Crump has worked in the state attorney general's office since 1985, when he was appointed acting attorney general for three months by then governor and now U.S. Senator BOB KERREY, a Democrat. Before joining the attorney general's office, Crump had been legal counsel and human services advisor to Kerrey. Crump has been endorsed by his current boss, Republican Attorney General **ROBERT SPIRE**, and by Kerrey. His opponent is Republican attorney **DON STENBERG**, who has his own law firm in Lincoln. The latest public opinion polling indicates that more than 50 percent of Nebraskans are undecided on the attorney general race.

NORTH CAROLINA

The mud slinging has begun in the Tarheel state, where three-term Republican U.S. Senator JESSE HELMS is attempting to hold his seat against a challenge from former Charlotte mayor HARVEY GANTT. As this "Old South versus New South" race enters the home stretch, the well-financed Helms is barraging the airwaves with negative ads which, if not countered, could seriously damage Gantt, who does not have the money to launch a media counterattack of equal size.

Helms is running four television spots for every one of Gantt's, according to **DAVID CANON**, a professor of political science at Duke University. Canon says that although the ads distort Gantt's position, particularly on sensitive issues like abortion, "they are all very effective ads because television is the name of the game in North Carolina." The Helms spots portray Gantt as a big-spending liberal who is out of step with North Carolina values. Some of them suggest that Gantt, who is pro-choice, would support abortion during the final weeks of pregnancy

and that Gannt is calling for military budget cuts even as the nation is poised for armed conflict in the Persian Gulf. Dr. **SAMUEL MOSELEY**, a political science professor at North Carolina A & T University in Greensboro, agrees that Gantt is "definitely at a disadvantage" because of the Helms blitz, but notes that Gantt is receiving significant air time on the evening news. Moseley also points out that, although Helms spent more than $16 million in his last Senate campaign, he only edged out his opponent, former North Carolina Governor **JAMES B. HUNT, JR.**, by four percentage points.

Gantt is an architect and businessman with 11 years of public service to the city of Charlotte, having served as council member and from 1983 to 1987 as the city's first black mayor. In last May's primary he defeated five other Democrats, receiving 38 percent of the vote, and went on to beat district attorney **MICHAEL EASLEY** from Southport in the June 5 run-off. Gantt is campaigning on issues he believes matter to working class voters like jobs, education, and health care. Helms, by contrast, is a "family-God-and-country" traditionalist with an abysmal voting record on civil rights, South African sanctions, funding for social programs, and other issues important to most black Americans.

The latest polls show the two candidates running neck-and-neck, and analysts Canon and Moseley concur that strong black voter turnout will be key if Gantt is to win in November. "There is a concern that blacks will not come out in large numbers and that Gantt must get a tremendous turnout in the black community, at least 90 percent," says Moseley. Canon adds that although the state has a black voting-age population of about 20 percent, "in the last two elections, only 14 percent of black voters went to the polls."

OHIO

In 1970, after initially signing on with the Dallas Cowboys football team, J. KENNETH BLACKWELL decided he would rather go to graduate school. So he left the Cowboys' training camp and went back home to study educational psychology at Xavier University in Cincinnati. Blackwell later served on the Cincinnati City Council for six two-year terms. In 1979, his fellow council members elected him mayor. A Jimmy Carter supporter in 1976, Blackwell was a member of a nonpartisan political reform organization called the Charter Committee of Greater Cincinnati before he joined the Republican Party after the 1980 election of RONALD REAGAN to the White House.

Last March, Blackwell resigned as undersecretary in the U.S. Department of Housing and Urban Development (HUD), returning to Cincinnati to run for Ohio's 1st Congressional District seat. His candidacy is supported by President Bush, Vice President DAN QUAYLE, HUD Secretary JACK KEMP, and Lieutenant Colonel OLIVER NORTH.

Unopposed in the primary, Blackwell faces current Cincinnati Mayor CHARLES LUKEN, the son of the district's incumbent congressman, THOMAS LUKEN, in the general election. The two candidates vary little on most issues—both oppose abortion, are against tax increases, and support a "no quota" civil rights bill. In August, Blackwell was denounced by the president of the Cincinnati NAACP, **FRANK ALLISON**, for standing with President Bush in opposition to the Civil Rights Act of 1990. Blackwell and Luken were once political allies on the city council. Blackwell was vice mayor under Luken from 1985 to 1987, and the two worked together in an informal bipartisan coalition within the city council. This is expected to be a tight race.

VERMONT

In her second bid for Congress, black university professor DOLORES SANDOVAL won the Democratic primary for the state's at-large U.S. House seat by the skin of her teeth, getting just 263 more votes than her closest competitor, PETER DIAMONDSTONE. In November she will face Republican incumbent and former lieutenant governor PETER SMITH and independent candidate BERNARD SANDERS, who finished third in the September 11 primary. Sanders, a self-proclaimed Socialist and four-term mayor of Burlington, unsuccessfully ran for Congress as a Democrat in 1988 as did Sandoval.

With a background in African and Third World studies, Sandoval has taught education at the University of Vermont for 20 years. Declaring that she stands "for civil rights and human rights," she advocates a federal family leave policy, support for reproductive rights, and a national health care system.

Import Workers or Train Americans

Immigration Reform Proposal Seeks Skilled Workers From Abroad

by Christopher Brown

This is the second of two articles developed as a part of ongoing Joint Center research on U.S. immigration policy, being conducted under the supervision of Milton Morris, director of research.

For more than a century the words of American poet Emma Lazarus inscribed at the base of the Statue of Liberty — "Give me your tired, your poor, your huddled masses yearning to breathe free" — have welcomed immigrants arriving from around the world. The promise held by those words, however, has also masked a deep ambivalence that Americans have always felt toward newcomers to the nation's shores. Today, as Congress attempts to affirm the nation's commitment to a more generous immigration policy, that ambivalence persists.

On October 3 the House of Representatives approved the Family Unity and Employment Opportunity Immigration Act of 1990 (H.R. 4300), sponsored by Rep. Bruce Morrison (D-Conn.). The Act would raise the number of visas available to foreign nationals from around 538,000 a year to approximately 775,000 a year. A greater emphasis than before will be placed on admitting immigrants with skills needed by American business and industry, increasing by about 50 percent the annual number of skills-based visas (from 54,000 to 188,000 including their families). A bill approved by the Senate last summer, the Immigration Act of 1989 (S.358), sponsored by Edward Kennedy (D-Mass.), would call for even more employment-based visas (96,000) but limit total immigration to 630,000.

The interest in supplementing the American workforce with immigrant labor arises from studies that predict an approaching shortage of skilled workers. The Hudson Institute's *Workforce 2000* report, released in 1988, predicts that the number of new jobs for low-skilled workers will decline in the coming years while "the fastest-growing jobs will be in professional, technical, and sales fields requiring the highest education and skill levels." Sponsors of H.R. 4300 believe that our current immigration policy unnecessarily frustrates employers who wish to hire foreign workers to fill particular shortages. In effect, they argue, current policy retards American productivity and competitiveness in the international marketplace. In fields such as nursing and engineering, where many positions go unfilled, foreign professionals must wait as long as two and a half years after applying before they are authorized to work here.

However, the new legislation has prompted concerns. Some legislators fear that large numbers of immigrants will depress the wages and working conditions of native workers and undermine American institutions and values. Others are worried that importing skilled employees will detract from efforts to improve the education and training of native workers. These concerns have become more acute as the nation's cities struggle to provide education, housing, health care, and jobs for the persistently poor.

The legislative debate over increased immigration reveals the differing perceptions of how higher numbers will affect American workers, and how those increases may change the prospects for training American workers to fill the jobs of the future.

Earlier efforts to block immigration were based more on racial and ethnic considerations. In the 1850s, an anti-immigrant party, called the "Know-Nothings," succeeded in electing six governors and dominating many state legislatures. In the 1920s, the same nativist spirit produced laws that nearly stopped immigration from everywhere but Western Europe. Not until the passage of the Immigration and Nationality Act of 1965 did Congress eliminate the Eurocentric bias of immigration quotas.

The 1965 Act also created a "preference system," which made reuniting families the central priority in allocating visas. As a result, more than 90 percent of the legal immigrants currently admitted each year enter because they have close relatives living in the United States. Asians and Latin Americans have benefited the most from this family-based policy, as they now constitute 85 percent of immigrants. Some legislators are concerned that immigrants from other regions of the world have been unfairly excluded because they lack family connections. Although the majority of the additional visas proposed by H.R. 4300 would be allocated to the relatives of U.S. residents, a new category of "diversity visas" would be reserved for natives of currently low-admission countries in Europe and Africa.

The broader issue of immigration policy is complex and multifaceted, and proposals to increase family-based immigration and add diversity visas have proven just as controversial as the labor-based approach. At the heart of the issue is a disagreement over whether increased immigration does more good or more harm to American society.

Mr. Brown, a summer intern at the Joint Center, graduated from Yale University in June and will be attending Oxford University as a Rhodes Scholar in October.

Immigration and the American Workforce

A key debating point is the nature of the labor shortage predicted by the *Workforce 2000* report. Opponents of increased immigration ask how shortages can exist when seven million Americans are unemployed. Rep. Lamar Smith (R-Tex.), who led the fight against H.R. 4300, suggested that employers are not offering high enough wages to attract American workers: "I happen to think that we have more of a wage shortage than a labor shortage."

However, in the skilled professions, the American workforce is proving increasingly unable to meet the needs of many employers. According to recent surveys, two-thirds of American employers find the current pool of entry-level job applicants insufficiently prepared in spelling, writing, mathematics, oral communication, problem solving, and work habits. Doris Meissner of the Carnegie Endowment for International Peace argues that America does not face a *labor* shortage so much as a *skills* shortage, a direct result of poor educational preparation.

In some sectors of the economy, the problems posed by a shortage of skilled workers already demand immediate attention. In the Chicago area, where 2,300 jobs for precision metalworkers are offered each year, few candidates are available. An instructor at a Chicago-area vocational center recently complained that he had 80 job opportunities on his bulletin board and only three qualified students to recommend. The absence of available workers results partly from poor vocational training. Because of the difficulty of recruiting American workers, the National Tooling and Manufacturing Association is among the many industry organizations calling for more immigrants with skills. Rep. Morrison, who argues that importing these workers from overseas is in everyone's interest, says, "You need a growing economy to produce jobs for unemployed workers, and labor shortages can be a barrier to economic growth."

According to the supporters of the Morrison bill, a growing body of evidence shows that immigrants do not displace American workers but, instead, heighten overall productivity. They believe unskilled immigrants frequently fill a niche where domestic workers are in inadequate supply, for example in agricultural work and the garment industry. And growth expands job opportunities for the American worker. A recent report published by the Department of Labor, "The Effects of Immigration on the U.S. Economy and Labor Market," found that "even in the short run, with many jobs depending on the balance of trade, immigrants benefit native-born workers by helping some U.S. firms remain competitive internationally."

Room Enough for All?

The rosy view about the positive effect immigration will have on American society has been challenged by opponents who fear that higher numbers of immigrants will exacerbate current economic and social problems. To many policymakers, the prospect of welcoming foreign workers on the basis of their labor skills signals a lack of interest in cultivating the human talent already here, a neglect which in the past has limited the opportunities of black workers. And while immigration has benefitted the U.S. economy as a whole, the immediate consequences for black Americans have not always been so positive. As historian John Hope Franklin has noted, for European immigrants, "there was room enough for all who sought to escape the burdens of class, religious, racial, and other discriminations." Yet for black Americans, discrimination and segregation meant there was rarely room enough to assimilate them into the political and economic life of the country.

Proposals to expand immigration inevitably give rise to questions aout America's commitment to its own huddled masses. Dr. Frank Morris of Morgan State University in Baltimore, who has studied the impact of immigration on urban areas, believes that African-Americans "bear a disproportionate share" of competition with immigrants for jobs, housing, social services, and public education resources. One example is the Los Angeles contract cleaning industry, where non-unionized firms that hire immigrant workers have underbid unionized firms that hire native workers, a disproportionate share of whom are black.

John Bryant (D-Tex.), one of only three Democrats on the Judiciary Committee to oppose H.R. 4300, fears that filling more jobs with foreign workers would discourage employers from training and hiring Americans. Bryant and other opponents cite the shortages of skilled workers indicated in *Workforce 2000* as reasons for employers to look to minorities, the elderly, the disabled, and America's underemployed to fill the jobs of the future. Bryant, who also supports sanctions against employers who hire illegal immigrants, insists that the future of the nation's indigenous workforce must be a priority. "There is a vast quantity of unemployed in the United States," Bryant says. "At some point, we have to use our marginal resources to build a strong American population to fill jobs."

There is agreement among many members of Congress that immigration reform is overdue, but considerable disagreement over how legislation should be framed. H.R. 4300 calls for a much greater increase in family-based immigration than the Senate bill and a smaller, though still sizable, increase in labor-based immigration. For these or an other solutions to be workable over the long term, immigration reforms must strike an appropriate balance between American businesses' need for skilled labor and American workers' need for the training that will enable them to compete for jobs. As we open the doors wider to allow more immigrants the opportunity to build a better life here, we must be sure that we do not, at the same time, close the door to native-born Americans. ■

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Souter: How Conservative?

Civil Rights Lawyer William Taylor Discusses Supreme Court Appointee David Souter With Focus *Editor David Ruffin*

Mr. Taylor began his career in 1954 as a lawyer with the NAACP Legal Defense and Educational Fund, was staff director of the U.S. Commission on Civil Rights in the 1960s, and helped win several school desegregation victories in the courts. As a legislative strategist, he played a major role in securing passage of the Voting Rights Act extension in 1982 and the Civil Rights Restoration Act in 1988. He has also taught civil rights law at Catholic and Georgetown universities.

Q. *How would you compare David Souter with Justice William Brennan, the man he will replace?*

A. Brennan is one of the greatest justices in the history of the Court. He was the prime architect, both as an intellectual force and a consensus maker, of the modern era of constitutional interpretation where people unable to obtain civil rights and civil liberties protections elsewhere in the political system were recognized and protected by the courts. There's every reason to believe that Mr. Souter is more conservative than Justice Brennan, but after combing the record and after days of hearings, there are great questions left about what kind of judge he will be.

Q. *What are the sharpest differences between the two?*

A. Of most concern about Souter is his record as attorney general for New Hampshire. During that period, he attacked federal laws that bar literacy tests of voters and on federal laws and policies that require the collection of racial data. He apparently did not understand at that time the basis and the need for such laws and the power of Congress to protect against racial discrimination. Furthermore, during the hearings Souter said he does not see a basis for outlawing the death penalty as cruel and unusual, a view which contrasts sharply with that of Justice Brennan.

Q. *Are there reasons to be optimistic?*

A. Some of the views Souter expressed were not inconsistent with those of Brennan. Souter did see a need for a living Constitution where judges were free—indeed compelled—to derive interpretations that met today's needs from the broad principles of the 14th Amendment and other provisions of the Constitution. He provided a vigorous defense of the *Brown* v. *Board of Education* decision, even though he acknowledged that there was no specific history of the 14th Amendment indicating it was intended to deal with segregated schools.

Souter said that protections in affirmative action programs do not have to be limited to an individual person who is the proven victim of discrimination. He also said that the obligation with respect to discrimination was not simply to end it but to undo its effects.

Q. *What future civil right issues are at stake?*

A. The Court will face a series of issues that will define the government's obligation to undo the effects of segregation and other forms of discrimination. The Supreme Court's first case this term is the *Dowell* case from Oklahoma City, which addresses how long the obligation lasts to take effective action to desegregate schools. Is there a time when a school district can simply say "we've done enough," the courts agree, and they go back to so-called neighborhood schools even if there's re-segregation?

There will continue to be cases in the voting rights area—particularly after the 1990 Census—on how, if you draw lines in a certain way, it dilutes minority voting power. New laws on housing discrimination passed by Congress in 1988 and the comprehensive Americans With Disabilities Act of 1990 barring discrimination against the handicapped will undoubtedly generate questions of how expansive these laws are.

Cases involving more narrowly tailored, more carefully crafted state and local minority business set-aside programs adhering to the Court's 1989 *Croson* decision will also probably come up. These are all likely to be hard-fought and closely contested issues.

Q. *What long-term impact will Souter have on future High Court decisions?*

A. There has been the development of a conservative bloc on the Court that seems ready to ignore the practical situations people face in this country, and to impose its own ideological stamp on every issue. A key example is the series of 1989 fair employment decisions which, ignoring past rulings by the Warren and Burger courts, put new barriers in the way of minorities and women seeking employment and advancement in the workplace. There was no real basis for these rulings in the law, in precedent, in history, or in sensible national public policy. If Judge Souter becomes an acquiescent or active part of that bloc, things will only get worse.

Q. *Do you think that Souter will favor overturning established Court precedents?*

A. My feeling is that temperamentally and philosophically he is not an activist for change like Judge Scalia. But we still don't know how he will vote on *Roe* v. *Wade* or new cases involving equal employment opportunity. Over the last 35 years, the Supreme Court has been a unifying and healing institution in the country. It may create great controversy, as it did with the *Brown* decision, but without that ruling this country would be riven by even more racial conflict and divisiveness than it is now. With the new wave of immigration and ethnic and intergroup tensions, we need unifying institutions in our society. A test of Judge Souter is whether he's able to understand the significance of the larger issues and to respond to them. ■

Black Caucus: 20 Years of Achievement

(Continued from page 4)

January—and one or two may be Republicans. Moreover, redistricting may create new districts in Georgia, North Carolina, Texas, and Virginia, which may extend additional electoral opportunities to black candidates. Furthermore, with the retirement of white New Orleans Congresswoman Lindy Boggs, who represents Louisiana's 59-percent-black 2nd district, all existing majority-black congressional districts in the country are expected to be held by black representatives after the November elections. Black members of the House who represent districts with white majorities are likely to bring different sets of priorities to Congress.

As the Caucus expands, more frequent differences of opinion are inevitable, making it even more difficult for all the CBC members to continue to vote as a bloc. Few analysts believe, however, that diversity is necessarily a threat to CBC's solidarity or to its ability to achieve functional unity on critical issues. According to former congressman Parren Mitchell, "Issues of housing and poverty will be the same in New York City or Yazoo City, Mississippi. Mike Espy has taken a different tack on gun control but it hasn't hurt the Caucus. The bonds of collegiality are strong enough to stand some dissension."

Congressman Julian Dixon of Los Angeles, formerly chairman of the Caucus and president of the CBCF, believes that disagreements between CBC members do not constitute a weakness but merely reflect new political realities. "We are not monolithic," he says, "and I would venture to say that if you polled the entire black community there would be no overarching consensus on questions of busing, abortion, gun control, or even capital punishment. So if the black community isn't of one opinion, why should CBC members always agree?"

In terms of becoming bipartisan, Amelia Parker observes that, "people overestimate the problems we would have incorporating Republicans. First, we have had Republican members in the past—such as Virgin Islands Delegate Melvin Evans and Massachusetts Senator Ed Brooke. We worked very effectively with Brooke when he was in the Senate, and we currently have Republican associate members of the CBC." Parker also points out that both the women's and Hispanic caucuses have functioned effectively as bipartisan organizations.

Divided Loyalty of Leadership

Ultimately, the greater challenge to CBC unity might not be increased diversity but greater authority. Now that more CBC members have leadership positions in the Congress, there are more possibilities for competing loyalties. When he was chairman of the House Budget Committee, Rep. William Gray (D-Penn.) could not simultaneously support both the CBC alternative budget and the budget plan of his own committee. That kind of conflict may be compounded now that he has become House majority whip responsible for ensuring that the Democratic legislative agenda moves on the House floor. And as chairman of the House Committee on Standards of Official Conduct, Julian Dixon has had to investigate other CBC members. But those very positions of authority that can make it harder for the Caucus to be unified can also make it easier for the Caucus to be effective.

In the end, there is little chance that an organization which survived Richard Nixon and Ronald Reagan will fall victim to its own success or to the inevitable compromises that make up the day-to-day fabric of political life on Capitol Hill. In the future, CBC members will probably disagree more often but have even greater impact when they all speak with one voice—which is most of the time. And as the Caucus grows, it accommodates an expanding spectrum of black political opinion under a spreading umbrella of shared goals and common aspirations. ■

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